

ELECTIONS

CS/SB 618 — Election Administration

by Ethics & Elections Committee and Senator Sanderson

This committee substitute contains primarily technical revisions to a number of election administration provisions adopted in the Florida Election Reform Act of 2001, including repealing a provision requiring county supervisors of elections to provide one voting booth for each 125 registered voters in the county.

The committee substitute also makes a few substantive changes to provisions of the Florida Election Code that were not directly impacted by the 2001 Election Reform Act, including: re-enacting a blanket prohibition against making indirect campaign contributions (identical provision adopted in CS/SB 1350 and CS/SB's 1842, 1124, and 498); modifying the current prohibition against candidates making contributions to charitable organizations, to prohibit these contributions *only* if made in *exchange for* political support (identical provision adopted in CS/SB 1350 and CS/SB's 1842, 1124, and 498); allowing candidates and others to be reimbursed from a campaign account for expenses relating to travel, food and beverage, office supplies, and thank you notes to campaign supporters (applicable retroactively); and, moving the qualifying date for judicial candidates from July to May of each general election year, to generally coincide with the qualifying period for federal candidates.

If approved by the Governor, these provisions take effect upon becoming law (except as otherwise provided).

Vote: Senate 28-1; House 112-0

CS/SB 1350 — Election Administration

by Ethics & Elections Committee and Senator Sanderson

This committee substitute embraces a number of provisions targeted at providing greater ballot access and polling place access for voters with disabilities. The committee substitute is implemented in phases. Beginning on November 30, 2002, all county supervisors of elections must include sensitivity training as part of their poll worker education program, to assist poll workers in understanding and accommodating the special needs of disabled voters attending the polls. By July 1, 2004, all polling places must be accessible to disabled voters unless the supervisor has certified that the polling place will not be ready, in which case the division of elections must grant a variance until the first primary election in 2006.

The committee substitute requires each polling place to have at least one disability-friendly voting machine in each precinct (requirements specified in the committee substitute) one year after a specific appropriation by the Legislature for that purpose. Also, the committee substitute evinces the Legislature's intent that all voting forms and ballots be made available in alternative formats to facilitate voting by the disabled, contingent upon the technical feasibility of the forms and a specific appropriation by the Legislature for that purpose.

The committee substitute also makes other changes. It increases the penalty for knowingly and willfully making or accepting cash contributions of more than \$5,000, from a first-degree misdemeanor to a third-degree felony. It prohibits lobbyists from serving on the Florida Elections Commission, and precludes persons from lobbying while serving on the Commission. Members of the Commission on July 1, 2002, are temporarily exempted from the prohibition, and may engage in lobbying activities for the remainder of their term. Finally, the committee substitute adopts prohibitions against making indirect campaign contributions and making certain charitable contributions in exchange for political support (identical provisions adopted in CS/SB 618 and CS/SB's 1842, 1124, and 498).

If approved by the Governor, these provisions take effect, except as otherwise provided, one year after the Legislature adopts a general appropriations act specifically appropriating to the Department of State, for distribution to the counties, \$8.7 million or such other amounts as it determines and appropriates for the specific purpose of funding this act.

Vote: Senate 38-0; House 119-0

CS/SB's 1842, 1124, & 498 — Campaign Finance

by Ethics & Elections Committee and Senators Lee, Futch, Smith, Constantine, King, Sanderson, Pruitt, Latvala, Campbell, Sullivan, Geller, Klein, Crist, Sebesta, Posey, Dyer, Brown-Waite, and Lawson

The committee substitute is a campaign finance reform measure embracing a variety of issues. Specifically, the committee substitute makes the following changes:

- ***“Political Committee” Definition:*** Amends the definition of “political committee” for campaign finance purposes to include essentially any group that: 1) makes or accepts contributions; or, 2) expressly advocates any candidate or ballot issue, in an aggregate amount of more than \$500 in a calendar year.
- ***Debit Cards:*** Authorizes campaign expenditures to be made by debit card tied to the primary campaign depository, as well as with traditional paper bank checks.
- ***Reports on Disposition of Surplus Campaign Funds:*** Modifies the fines for late-filed termination reports on the disposition of surplus funds, and establishes a notice requirement to apprise candidates that the report is coming due.

- **Petty Cash Expenditures:** Increases the petty cash amount that a campaign can spend on a single transaction from a maximum of \$30 to \$100.
- **Office Accounts:** Increases the amount of surplus funds that certain successful candidates can deposit in an office account.
- **Use of Government Workers for Campaign Purposes:** Expands the current prohibition against using state workers during work hours for campaign purposes to include county, municipal, and district officers and employees.
- **Indirect Contributions:** Re-enacts a prohibition against making indirect campaign contributions, which was stricken by the federal courts (identical provision adopted in CS/SB 618 and CS/SB 1350).
- **Charitable Contributions:** Prohibits candidates, political committees, and political parties from making contributions to charitable organizations *only if* those contributions are made *in exchange for* political support --- in response to an adverse ruling by the federal courts striking Florida's existing prohibition as unconstitutional (identical provision adopted in CS/SB 618 and CS/SB 1350).

If approved by the Governor, these provisions take effect July 1, 2002.

Vote: Senate 38-0; House 114-0

